IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

FRIDAY, THE 16TH MARCH 2007 / 25TH PHALGUNA 1928

WP(C).No. 5671 of 2007(A)

PETITIONER:

P.V. NARAYANAN, S/O.ANDY,
HINDUSTAN ENGINEERING WORKS,
THANKAKUNNU.

BY ADV. SRI.A.K.ABDUL AZEEZ

RESPONDENTS:
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1. **THE SALES TAX OFFICER,**
   IIND CIRCLE, KANNUR.

2. **THE ASSISTANT COMMISSIONER (ASSMT.) II,**
   SPECIAL CIRCLE, COMMERCIAL TAX,
   KANNUR.

3. **TAHSILDAR (R.R.), KANNUR.**

4. **THE DISTRICT COLLECTOR, KANNUR.**

BY SR. GOVERNMENT PLEADER SRI.MOHAMMED RAFIQ

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 16/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR,J.

WP(C)NO.5671 OF 2007-A

Judgment

The writ petitioner is aggrieved by Ext.P1 notice issued by the Tahsildar, Kannur, notifying for sale of two acres of property, belonging to the Hindustan Engineering Products, owned by him. According to him, substantial portion of the amount due to the Government has been paid by him. Further, a residential building, belonging to him has been sold in public auction and the amount has been appropriated. So, it is submitted that if the accounts are properly maintained, there will not be any balance amount payable by him. Highlighting these grievances, the petitioner has preferred Ext.P6 representation before the third respondent. Thereafter, this Writ Petition is filed, praying, inter alia for a direction to the said respondent to dispose of Ext.P6. The learned Government Pleader upon instruction, submitted that Ext.P6 is received and pending. The Writ Petition is disposed of directing the 3rd respondent to consider and pass orders on Ext.P6 in accordance with law after affording an opportunity of being heard to the petitioner within one month from the date of receipt of a copy of this Judgment. The sale, if any made, shall not be confirmed before disposing of Ext.P6 representation provided the petitioner produces a copy of this Judgment before the Tahsildar (RR), within three weeks from today.

16.03.2007 **K.BALAKRISHNAN NAIR,JUDGE**

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